IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.S.RADHAKRISHNAN
&
THE HONOURABLE MR. JUSTICE A.K.BASHEER

FRIDAY, THE 7TH SEPTEMBER 2007 / 16TH BHADRA 1929

OP.No. 34620 of 2001(U)

PETITIONER:
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1. K.SODARAN, SREEKRISHNA NILAYAM,
ANCHAL NOW RESIDING AT REVATHY,
SARADAGIRI ROAD, VARKALA

2. K.SUDHARMMA DEVI, W/O K.SODARAN OF
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BY ADV. SRI.V.N.ACHUTHA KURUP
SRI.B.S.SWATHY KUMAR

RESPONDENTS:
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1. STATE OF KERALA, REP. BY THE
CHIEF SECRETARY, GOVERNMENT SECRETARIAT, TVM.

2. KERALA FINANCIAL CORPORATION,
REP. BY ITS MANAGING DIRECTOR, TVM.

3. THE MANAGER, KERALA FINANCIAL CORPORATION,
DISTRICT OFFICE, Y.M.C.A BUILDING, KOLLAM

ADDL.R4, R5 AND R6

4. CONSTRUCTION ENGINEER,
LAND DEVELOPMENT CORPORATION LTD., THRISSUR

5. THE EXECUTIVE ENGINEER, PWD ROADS DIVISION,
THIRUVANANTHAPURAM
(Impleaded as per the order dated 26.11.2001 in
C.M.P.58658/2001)

6. FEDERAL BANK LTD.,
ANCHAL BRANCH REP. BY ITS
SENIOR MANAGER GEORGE C. KOSHY
(Impleaded as per the order dated 21.5.2004 in I.A.4488/2004)

BY ADV. SRI.V.B.UNNIRAJ
SRI.P.N.MOHANAN
SRI.GEORGE VARGHESE (MANACHIRACKEL)
GOVERNMENT PLEADER K.SANDESH RAJ

THIS ORIGINAL PETITION HAVING BEEN FINALLY HEARD ON 07/09/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.S.RADHAKRISHNAN & A.K.BASHEER, JJ

O.P. 34620/2001

Dated this the 7th day of September, 2007

JUDGMENT

Radhakrishnan, J

We find no reason to keep this matter pending. Writ petition was preferred seeking a writ of mandamus directing the respondents to adjust the amounts covered by Exts.P3 to P5 from the amount due to the petitioners evidenced by Exts.P1 and P2 and also for a direction restraining the respondents 2 and 3 from initiating coercive steps for the recovery of the amounts shown in Exts.P3 to P5 till the amounts due to the petitioners evidenced by Exts.P1 and P2 are adjusted and also for other consequential reliefs.

2. Counsel for the petitioners sought for two months time to settle the matter with the KFC. Large amounts are due to the Federal Bank from the petitioner. The amount due to the petitioner from the Government is also under deposit.

3. Counsel for the KFC submitted that the application filed for One Time Settlement benefit has been rejected. Counsel for the petitioners submitted that he

has no information on that so far. The amount in deposit shall not be disbursed for a period of two months to enable to the petitioner to settle the matter with the KFC.

O.P is disposed of as above.

K.S.RADHAKRISHNAN
Judge

A.K.BASHEER
Judge

mrcs